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IN THE
Supreme Court of the United States

OCTOBER TERM, 1945. U

—
No. 243.
—

JULIUS H. WOLFE, ET AL., *Petitioners,*

v.

HARRY PORETSKY, ET AL., *Respondents.*
—

**REPLY BRIEF OF PETITIONERS IN SUPPORT OF
PETITION FOR WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS FOR THE
DISTRICT OF COLUMBIA**
—

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Shorn of all its embellishments and distortions by respondents this case resolves itself into one question: The weight to be given to the decision of the Zoning Commission of the District of Columbia, created by law to regulate zoning in the District of Columbia (1940 Edition of the District of Columbia Code, Title 5, sections 412 et seq.). The Code provides no right of review except reconsideration by the Zoning Commission. Does such statutory silence give the District Court jurisdiction to hold a hearing de novo and substitute its judgment for that of the Zoning Commission and thereby destroy the well recognized strong presumption that a quasi judicial body, appointed because of its technical knowledge of the subject matter and clothed with authority by The Congress to decide issues, properly performed its duty? Though many decisions of the Supreme Court of the United States are collaterally indicative, the question of the status of a decision of the Zoning Commission of the District of Columbia remains unsettled and because of its far-reaching consequence and great public importance it should be decided in this case.

It is respectfully submitted that the contention that the issues in the case are moot is wholly and completely without substance or merit.

Respectfully submitted,

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